

Congress of the United States
House of Representatives
Washington, DC 20515

The Honorable Mignon Clyburn
Acting Chairwoman
Federal Communications Commission
445 12th Street SW
Washington, DC 20554

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Dear Madam Chairwoman:

The ongoing retransmission consent impasse between CBS and Time Warner Cable has gone beyond the bounds of these by-now all too frequent contract disputes. While I make no judgment regarding the merits of either party's position on the terms of the retransmission of CBS's television signals to Time Warner Cable customers, I must object to CBS's aggressive negotiating tactics which are undermining my constituents' access to legal content.

I am deeply troubled by CBS's action in blocking Time Warner Cable broadband internet customers from being able to access CBS.com. As I understand the situation, this means that households who use Time Warner Cable broadband, whether or not they also use Time Warner Cable for their television, are effectively denied access to specific content on the internet.

CBS's action violates the Commission's 2005 Broadband Internet Policy Statement provision that "...consumers are entitled to access the lawful Internet content of their choice," a principle which I believe is firmly rooted in the First Amendment. As a Member of Congress representing Seattle, the home of so many companies and institutions with an important stake in a free and open internet, I am troubled to see internet access being used as a weapon in a commercial contract dispute affecting television.

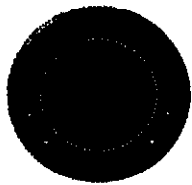
While I hope that both parties are able to resolve this current impasse, I believe that it is important for the Commission to defend internet freedom and begin to address both the continuing problem of retransmission consent and its effect on internet freedom.

Should you have further questions, please contact me through my Chief of Staff, Diane Shust. Thank you for your attention to this matter.

Sincerely,



Jim McDermott
Member of Congress



FEDERAL COMMUNICATIONS COMMISSION

September 20, 2013

Mignon L. Clyburn
Acting Chairwoman

The Honorable Jim McDermott
U.S. House of Representatives
1035 Longworth House Office Building
Washington, D.C. 20515

Dear Congressman McDermott:

Thank you for your letter regarding the recent retransmission consent dispute between Time Warner Cable and CBS Corporation. I share your concerns with regard to the impact such disputes have on consumers.

Commission staff and I closely monitored the situation. I also engaged the parties at the highest levels to urge resolution of the dispute. I am pleased that the companies were finally able to reach agreement and restore the CBS programming to Time Warner Cable systems in early September, though the length of time stalemate was quite troubling. I hope that, in the future, media companies will put consumers' interests first and avoid such programming disruptions.

As you know, retransmission consent disputes involve private contracts where the Commission has limited statutory authority. However, should Congress decide to revisit this issue, Commission staff would be available as a resource for technical assistance.

If you have any additional questions or need any further assistance, please don't hesitate to contact me.

Sincerely,

Mignon L. Clyburn